

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LAWRENCE WILLIAMS,

Plaintiff,

No. CIV S-03-2518 FCD DAD P

vs.

COUNTY OF SACRAMENTO
SHERIFF'S DEPARTMENT, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On February 26, 2007, the court ordered defendants to provide responses to certain special interrogatories and, in light of this discovery, granted plaintiff leave to file a supplemental opposition to defendants' September 1, 2006 motion for summary judgment/adjudication of issues. Subsequently, on April 27, 2007, plaintiff was granted an extension of time to file his supplemental opposition. On May 21, 2007, plaintiff filed a declaration explaining why he had still not filed his supplemental opposition. Plaintiff contends that on April 16, 2007, he was transferred to the California Correctional Training Facility in Soledad, California and that he did not receive the responses to the special interrogatories prior to

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1 his transfer. In addition, plaintiff contends that he did not receive his legal property until May
2 14, 2007.

3 The court will grant plaintiff a final extension of time to file his supplemental
4 opposition to the defendants' motion. Plaintiff is advised that the purpose of allowing him to file
5 a supplemental opposition is to provide him an opportunity to use the special interrogatories
6 responses in attempting to demonstrate the existence of a disputed issue of material fact.
7 Therefore, the supplemental opposition should be concise and should not include the same
8 arguments already presented in plaintiff's October 25, 2006 statement of genuine issues of
9 material facts, which the court has construed as plaintiff's opposition to the motion for summary
10 judgment/adjudication of issues.

11 The court also notes that in plaintiff's October 25, 2006 opposition, he refers to an
12 Exhibit C which is described as a "Special Diet Request." This exhibit was not included with the
13 opposition and plaintiff will be ordered to submit it with his supplemental opposition if he
14 wishes it to be considered.

15 Accordingly, IT IS HEREBY ORDERED that on or before June 15, 2007,
16 plaintiff shall file his supplemental opposition to defendants' September 1, 2006 motion for
17 summary judgment/adjudication of issues as well as Exhibit C (Special Diet Request) to his
18 previously filed opposition. Should plaintiff fail to comply with this order, the court will proceed
19 to issue findings and recommendations on defendants' summary judgment motion without
20 further opposition.

21 DATED: June 1, 2007.

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DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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